

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

2016 FEB 11 PM 3:08

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS CLERK *EPM*
AMARILLO DIVISION

RONALD RAYMOND GREEN, PRO SE, §
also known as RONALD R. GREEN, §
TDCJ-CID No. 1302189, §
§
Plaintiff, §
§
v. § 2:14-CV-0243
§
BRAD LIVINGSTON, STEPHEN WILLIAM, §
UNNAMED DENTIST, and §
BRIAN TUCKER, §
§
Defendants. §

ORDER OF DISMISSAL

Plaintiff RONALD RAYMOND GREEN, acting pro se and while a prisoner incarcerated in the Texas Department of Criminal Justice, Correctional Institutions Division, filed suit pursuant to Title 42, United States Code, section 1983 complaining against the above-named defendants and has been granted permission to proceed pursuant to Title 28, United States Code, section 1915(b).

On January 15, 2016, a Report and Recommendation was issued by the United States Magistrate Judge recommending dismissal of the instant cause with prejudice as frivolous and for failure to state a claim on which relief can be granted. It was the further recommendation of the Magistrate Judge to the United States District Judge that the Court decline to exercise pendent jurisdiction over plaintiff's state law tort claims, if any, and that such claims be dismissed without prejudice.

No objections to the Report and Recommendation have been filed, and the response period has expired.

The Court has made an independent examination of the records in this case and has examined the Magistrate Judge's Report and Recommendation. The Court is of the opinion that the Report and Recommendation of the United States Magistrate Judge should be ADOPTED by the United States District Court.

This Court, therefore, does hereby ADOPT the Report and Recommendation of the United States Magistrate Judge in this case.

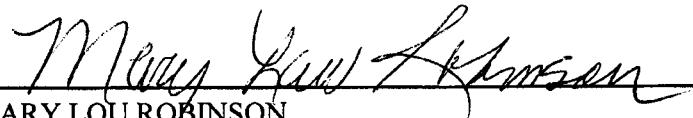
IT IS THEREFORE ORDERED that the Civil Rights Complaint by plaintiff RONALD RAYMOND GREEN is DISMISSED WITH PREJUDICE AS FRIVOLOUS AND FOR FAILURE TO STATE A CLAIM ON WHICH RELIEF CAN BE GRANTED. The Court declines to exercise jurisdiction over plaintiff's state law tort claims, if any, and they are DISMISSED WITHOUT PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

The Clerk shall send a copy of this Order to plaintiff and to any attorney of record. The Clerk shall also mail copies of this order to TDCJ-Office of the General Counsel, P.O. Box 13084, Austin, TX 78711; and to the Pro Se Clerk at the U.S. District Court for the Eastern District of Texas, Tyler Division.

It is SO ORDERED.

Signed this 11th day of February, 2016.


MARY LOU ROBINSON
United States District Judge